

CERTIFICATE OF PUBLICATION Office of **THE AVENUE NEWS**

442 Eastern Blvd.
Baltimore, Md. 21221

February 8, 1990

THIS IS TO CERTIFY, that the annexed advertisement of
Kenneth J. Warnecke, Jr., in the matter of Petition
for Zoning Variance for 1225 Seneca Rd., Case # 90-332-A
P.O. # 0101845, Reg. #H38171. 94.5 lines 6.55 or \$51.97

was inserted in **The Avenue News** a weekly newspaper
published in Baltimore County, Maryland once a week for 1
successive week(s) before the 9 day of February 1990.
that is to say, the same was inserted in the issues of Feb. 8, 1990

The Avenue Inc.
Dennis F. Rasmussen
County Executive

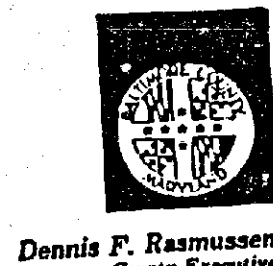
Notice of Hearing
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on the following:
Petition for Zoning Variance
Case Number: 90-332-A
NC/S of Seneca Road, 260' NW of New Section Road
1225 Seneca Road
15th Election District - 5th Councilmatic
Petitioner(s): Kenneth J. Warnecke, Jr., et al
at 2:00 p.m.
Hearing Date: TUESDAY, MARCH 6, 1990
at 2:00 p.m.
Variance: To allow an accessory structure a height of 19 feet in lieu of the maximum 15 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing or presented at the hearing.
NOTE: If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County, Maryland

Baltimore County Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

receipt
Account: R 001-6150
Number: 90-332
Date: 3/06/90
PUBLIC HEARING FEES
000 - POSTING SIGNS / ADVERTISING 1 Y. \$126.21
LAST NAME OF OWNER: WARNECKE, JR.
TOTAL: \$126.21
B 0125*****126211* 5065F
Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 2/12/90



Mr. & Mrs. Kenneth J. Warnecke, Jr.
1225 Seneca Road
Baltimore, Maryland 21220

Re: Petition for Zoning Variance
CASE NUMBER: 90-332-A
NC/S of Seneca Road, 260' NW of New Section Road
1225 Seneca Road
15th Election District - 5th Councilmatic
Petitioner(s): Kenneth J. Warnecke, Jr., et al
HEARING: TUESDAY, MARCH 6, 1990 at 2:00 p.m.

Dear Petitioners:
Please be advised that \$126.21 is due for advertising and posting of the above captioned property.
THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.
Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

January 22, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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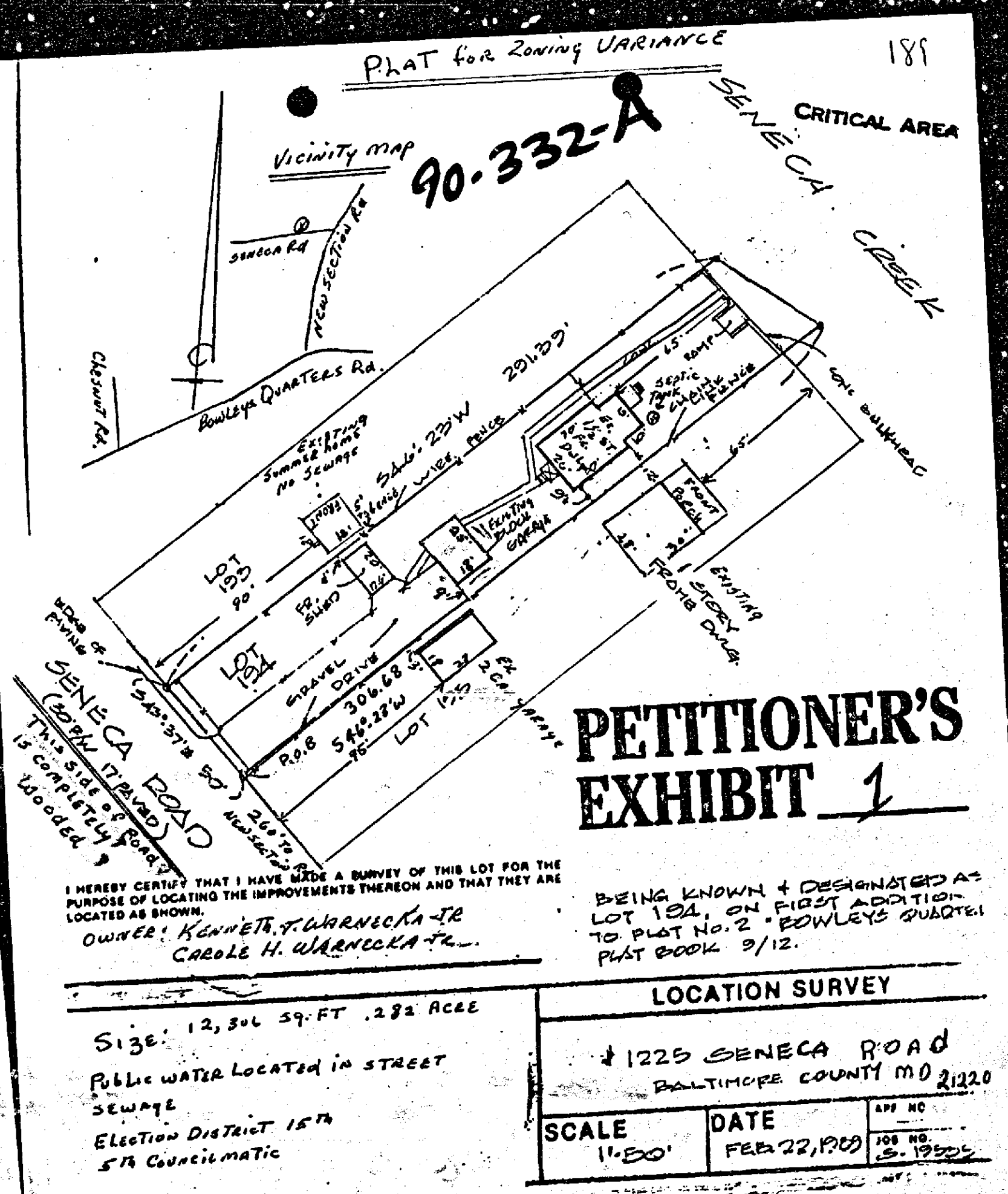
Variance: To allow an accessory structure a height of 19 feet in lieu of the maximum 15 feet.

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J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Kenneth J. Warnecke, Jr., et al



PETITIONER'S EXHIBIT 1

BEING KNOWN & DESIGNATED AS LOT 104, ON FIRST ADDITION TO PLAT NO. 2 "BOWLEY'S QUARTER" PLAT BOOK 9/12

LOCATION SURVEY
1225 SENECA ROAD
BALTIMORE COUNTY MD 21220
SCALE 1"=50' DATE FEB 22, 1990 APP NO. 108 RD. 201955

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1526
Posted for: Variance
Petitioner: Kenneth J. Warnecke, Jr., et al
Location of property: 1225 Seneca Rd., 760' NW of New Section Rd.
Location of Sign: 1225 Seneca Rd., 760' NW of New Section Rd.
Remarks: on p.m. party of Petitioner
Posted by: M. Haines
Number of Signs: 1
Date of Posting: 2/12/90
Date of return: 2/22/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: January 18, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Kenneth J. Warnecke, Jr., Item 189

The Petitioner requests a variance to permit an accessory structure 19 ft. in height in lieu of 15 ft.

In reference to this case, staff offers the following condition should the Petitioner's request be granted: living quarters, kitchen or bathroom facilities shall be prohibited in the garage.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
FROM: Mr. Robert W. Sheesley
SUBJECT: Petition for Zoning Variance - Item 189
Warneck Property
Chesapeake Bay Critical Area Findings

DATE: January 12, 1990

RECEIVED
FEB 7 1990
ZONING OFFICE

SITE LOCATION

The subject property is located at 1225 Seneca Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Kenneth and Carole Warnecke

APPLICANT PROPOSAL

The applicant has requested a variance from section 400.3 "To allow an accessory structure a height of 19 feet in lieu of the maximum 15 feet."

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines
January 12, 1990
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-213(a)>.

Findings: The accessory structure is located within the 100 foot buffer. It consists of a second story addition to an existing garage and is already constructed.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination." <Baltimore County Code Sec. 22-98>

Findings: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site.

3. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland of at least 15%" <COMAR 14.15.02.04 C.(5)>.

Findings: The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

Shrub and small tree list: 4 items - ball and burlap or 2 gallon container size
Tree list: 2 items - minimum 4 foot size

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

4. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>.

Findings: The sum of all man made impervious surface equals approximately 19% of the lot, however, all structures were existing prior to this zoning application.

Memo to Mr. J. Robert Haines
January 12, 1990
Page 3

5. Regulation: "The stormwater management system shall be designed so that:

(1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;

(2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and

(3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 22-217(h)>.

Findings: At present, rooftop runoff does not appear to be collected in rainpools. In order to comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached drainage information sheet). This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:ju
Attachment

cc: The Honorable Ronald B. Hickernell
The Honorable Norman R. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3363
J. Robert Haines
Zoning Commissioner

February 5, 1990

Mr. & Mrs. Kenneth J. Warnecke, Jr.
1225 Seneca Road
Baltimore, MD 21220

RE: Item No. 189, Case No. 90-332-A
Petitioner: Kenneth J. Warnecke, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Warnecke:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3363
J. Robert Haines
Zoning Commissioner

February 5, 1990

Your petition has been received and accepted for filing this 19th day of December, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Kenneth J. Warnecke, et ux

Petitioner's Attorney:

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Raincke
Chief

December 19, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: KENNETH J. WARNECKA, JR.

Location: #1225 SENECA ROAD

Item No.: 189 Zoning Agenda: DECEMBER 19, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. P. K.* Noted and Approved
Planning Group
Special Inspection Division

JK/ZLK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for December 19, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 501, 185, 186, 187 and 190.

For Items 184, 187 and 188 the URG comments remain valid.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: January 12, 1990

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 189
Warnecka Property
Chesapeake Bay Critical Area Findings

RECEIVED
FEB 7 1990

ZONING OFFICE

SITE LOCATION

The subject property is located at 1225 Seneca Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Kenneth and Carole Warnecka

APPLICANT PROPOSAL

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<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines
January 12, 1990
Page 3

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Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:ju
Attachment

cc: The Honorable Ronald B. Hickernell
The Honorable Norman R. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 13, 1990



Dennis F. Rasmussen
County Executive

Mr. and Mrs. Kenneth J. Warnecka, Jr.
1225 Seneca Road
Baltimore, Maryland 21220

RE: Petition for Zoning Variance
Case No. 90-332-A

Dear Mr. and Mrs. Warnecka:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmn
cc: Peoples Counsel

receipt

Baltimore County
Zoning Commissioner
County Office Building
311 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8-001-4150
Number: 594

Date: 12/06/89

CRITICAL AREA

12/06/89

PUBLIC HEARING FEES

QTY	PRICE
010 - ZONING VARIANCE (IRL)	\$35.00
TOTAL:	\$35.00

LAST NAME OF OWNER: WARNECKA JR.

8 1C5*****3500:3 20825
Please make checks payable to Baltimore County

Cashier Validation:

Item 189